



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: CardioMetrix
File: B-257236.2
Date: October 6, 1994

Robert J. Loring for the protester, Vaughn E. Hill, Esq., Department of Labor, for the agency, Katherine I. Riback, Esq., and Paul Lieberman, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

DIGEST

Protest that solicitation fee schedule is "cumbersome, unwieldy, and impractical" is denied where the fee schedule was required by applicable law and regulation.

DECISION

CardioMetrix protests the terms of request for proposals (RFP) No. L/A 94-4, issued by the Department of Labor for medical second opinion services for the Office of Workers' Compensation Programs for claimants under the Federal Employees' Compensation Act (FECA). CardioMetrix contends that the RFP specifications remain defective despite an agency's amendment to the solicitation addressing the protester's stated concerns.

We deny the protest.

The agency issued the RFP on March 22, 1994, seeking proposals for a firm, fixed-price contract for a base year with four 1-year options. The solicitation calls for a contractor to provide medical second opinion services for FECA claimants residing in Minnesota, Wisconsin, Illinois, Indiana, Ohio, and Michigan.¹ CardioMetrix filed a protest.

¹Under FECA, medical care and compensation for wage loss and for permanent physical impairment are provided to federal employees who are injured in the performance of duty. In certain instances, a claimant must be referred to a specialist in an appropriate field for a second medical opinion. According to the RFP, the specialist rendering the

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